



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

SMC
Docket No: 03677-99
1 June 2000

HM2 [REDACTED] USN
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 1 June 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 28 February 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official

records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

3677-94

1610
PERS-311
28 FEB 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: PERS/BCNR Coordinator (PERS-00ZCB)

Subj: HMS [REDACTED], USN [REDACTED]

Ref: (a) BUPERSINST 1610.10, EVAL Manual

Encl: (1) BCNR File

1. Enclosure (1) is returned. The member requests modification of her performance report for the period 16 March 1998 to 15 March 1999.

2. Based on our review of the material provided, we find the following:

a. A review of the member's digitized record revealed the report in question to be on file. The member signed the report indicating her desire to submit a statement. The member provides the original statement, along with the command's endorsement with her petition. The statement was reviewed by PERS-311 and found acceptable for file. We are in the process of placing the statement, along with the command's endorsement, in the member's digitized record.

b. The member feels that the performance trait grades assigned in blocks 33 through 39 are inconsistent with the comments in block 43.

c. Based on our review of the report in question, we cannot determine why the member feels the trait grades assigned are inconsistent with the comments. The report was submitted per the guidelines outlined in reference (a), and is procedurally correct.

d. The marks, comments, and recommendations contained in the report are at the discretion of the reporting senior. The report

AC
(3)

Subj: HM2 [REDACTED], USN [REDACTED]

represents the judgement and appraisal responsibility of the reporting senior for a specific period of time. It is not required to be consistent with previous or subsequent reports, and is not routinely open to challenge.

e. The member does not prove the report to be unjust or in error.

3. We recommend retention of the report as written,

[REDACTED]

Head, Performance
Evaluation Branch